

PLANNING AND ZONING COMMISSION  
Monday, November 9, 2009 – MINUTES – Regular Session

Call to Order: Time In: 7:00 p.m.

The Planning and Zoning Commission of the Village of Canal Winchester met on the above date for a regular session and was called to order by Mr. Christensen.

Roll Call

Present: Mr. Christensen, Mr. Knowlton, Dr. Konold, Ms. Solomon, Mr. Vasko and Mr. Wynkoop.  
Dr. Konold made a motion to excuse Mr. Graber. Mr. Wynkoop seconded the motion.

VOTE:     AYES:       Christensen, Knowlton, Konold, Solomon, Vasko and Wynkoop  
          NAYS:        Motion Carried.

Approval of Minutes

Mr. Knowlton made a motion to approve the minutes of the October 12, 2009 regular Commission meeting as presented. Mr. Vasko seconded the motion.

VOTE:     AYES:       Christensen, Knowlton, Solomon, Vasko and Wynkoop  
          NAYS:        Motion Carried.  
          ABSTAIN:   Konold

Public Comment - None.

Public Hearings

Item 1. Zoning Amendment #ZA-09-06 Property Owner and Applicant Beth Bayless for property located at 485 West Waterloo Street is requesting to rezone the subject property from Low Density Residential (R-3) to Neighborhood Commercial (NC). Allan Neimayer, Planning & Zoning Administrator, gave the staff report. Ms. Bayless was present to answer questions from the Commission.

Mr. Christensen opened the public hearing.

Randy Tucker, President of the Charleston Lake Home Owners Association, 6649 Lakeview Circle, went over his concerns about this property being Commercial. Traffic is a big concern. The Association believes there is already a traffic issue with the wine shop, Sunoco and veterinary office traffic. They believe there will be more traffic in their condominium development from people turning around and if it would get used as over flow parking. The Association is concerned with what the property could be used for since it backs to a lot of their condominium units. He asked the Commission to deny the rezoning request until a specific use would come and then have it come before the Commission.

Dr. Konold asked how long Ms. Bayless has owned the property. Ms. Bayless stated that she has owned the property since July of 2002.

Dr. Konold then asked Mr. Tucker how many condominium units are occupied. He stated there are 112 total units and 105 of them are occupied. Dr. Konold asked how many vehicles he thought were there. Mr. Tucker stated at least two vehicles times 105 units so approximately 210 vehicles. Dr. Konold asked Mr. Tucker if he thought the condos were a greater impact on the traffic. Mr. Tucker stated that he believes the process is that they are already there. Dr. Konold asked what year the condos were built. He believes six and half years ago.

Mr. Knowlton asked if the roads within Charleston Lakes are public or private. Mr. Tucker stated that they are private roads.

Herb Davis, 6352 Lakeview Circle, has a letter he would like to read. The letter explains reasons why he is against the rezoning of this property. He believes traffic will be a big concern as well as excess parking and foot traffic through Charleston Lakes. He also believes there is plenty of commercial spaces within Canal Winchester and that this property does not need to be another one.

Chuck Bardocz, 6844 Lakeview Circle, lives directly across for the subject property. He understands Ms. Bayless' desire to rezone her property, but is concerned with what type of business could go into that property.

Paul Oulette, 6691 Lakeview Circle, moved into Charleston Lakes knowing that it was a residential home next door. He does not believe it should be allowed to be a commercial property.

Jeffrey Bond, 146 Washington Street, is against the rezoning.

Mr. Vasko made a motion to close the public hearing. Mr. Knowlton seconded the motion.

VOTE:     AYES:       Christensen, Knowlton, Konold, Solomon, Vasko and Wynkoop  
          NAYS:  
                          Motion Carried.

If the rezoning is approved, Mr. Vasko would like to see the two existing driveways reduced to one, and Mr. Knowlton would like to see more screening between the condo units and the subject property.

Dr. Konold stated the subject property is not marketable today as a single family residence due to the commercial development on West Waterloo Street and the nearby Wal-Mart development. He believes that a commercial use would be more appropriate. He stated that perhaps the Applicant could offer the Charleston Lakes Association first option to purchase the property whereby they could enhance their entry way into the condo development.

Dr. Konold made a motion to recommend Application #ZA-09-05 be approved by Council with the following conditions: 1) reduce the number of curb cuts onto West Waterloo Street to one, and 2) increase the screening between the property and the abutting condominium units. Ms. Solomon seconded the motion.

VOTE:     AYES:       Christensen, Solomon, Vasko, Knowlton, Wynkoop and Konold  
          NAYS:  
                          Motion Carried.

Item 2. Zoning Amendment ZA-09-07 Property Owner is 460 Waterloo LLC and Applicant Ken Heiberger for property located at 458 - 464 West Waterloo Street are requesting to rezone the subject property from Limited Manufacturing (LM) to Neighborhood Commercial (NC). Mr. Neimayer gave the staff report. Mr. Heiberger was present to answer questions from the Commission.

Mr. Heiberger explained what his intended use is for the property. He has no intention to expand the building. The current (LM) zoning limits the amount of retail use of the property to twenty-five percent of the total floor area. Mr. Heiberger has someone who would like to teach music lessons but he cannot have anymore retail space in the complex. He stated that if an adjoining property owner would want to tie into his driveway he would welcome that. He would also need to upgrade the interior of the barn building in the back for the retail space for the music store.

Mr. Vasko asked about reducing curb cuts. Mr. Heiberger stated that Neighborhood Commercial zoning only allows parking behind the building. He asked that since he has parking in the front that it be grandfathered in to allow the parking. Mr. Christensen stated that is a pre-existing condition and would be considered a non-conforming use.

Mr. Christensen opened the public hearing. There were no public comments.

Mr. Vasko made a motion to close the public hearing. Mr. Wynkoop seconded the motion.

VOTE:     AYES:       Christensen, Solomon, Vasko, Knowlton, Wynkoop and Konold  
          NAYS:  
                        Motion Carried.

Mr. Vasko made a motion to recommend Application # ZA-09-07 be approved by Council as presented. Dr. Konold seconded the motion.

VOTE:     AYES:       Christensen, Solomon, Vasko, Knowlton, Wynkoop and Konold  
          NAYS:  
                        Motion Carried.

Pending Items None.

Old Business None.

New Business

Planning and Zoning Administrator's Report

Mr. Neimayer is still researching additional information for the donation bins.

Adjourn to Executive Session There was no need for an executive session.

Adjournment

Mr. Vasko made a motion to adjourn this regular meeting of the Planning and Zoning Commission. Mr. Knowlton seconded the motion.

VOTE:     AYES:       Christensen, Solomon, Vasko, Knowlton, Wynkoop and Konold  
          NAYS:  
                        Motion Carried.

Time Out: 7:42 p.m.

Date \_\_\_\_\_

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Bill Christensen, Chairman

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Jeff Wynkoop, Acting Secretary

NOTE: The minutes set forth herein are an extract of the Planning and Zoning Commission meeting. Anyone desiring a transcript of the complete minutes of the Planning and Zoning Commission meeting may obtain the same at a cost of \$10.00 per page.